

Message Text

CONFIDENTIAL

PAGE 01 MANILA 11231 01 OF 02 051042Z

ACTION EA-12

INFO OCT-01 ISO-00 HA-05 CIAE-00 DODE-00 NSAE-00
NSCE-00 SSO-00 ICAE-00 INRE-00 PM-05 H-01 INR-10
L-03 PA-01 SP-02 SS-15 IO-13 AID-05 /073 W
-----019713 051055Z /12

O 051019Z JUL 78

FM AMEMBASSY MANILA

TO SECSTATE WASHDC IMMEDIATE 8012

C O N F I D E N T I A L SECTION 01 OF 02 MANILA 11231

EO 11652: GDS

TAGS: SHUM, PINT, EAID, RP

SUBJECT: A PROPOSED U.S. RESPONSE TO RECENT PROGRESS ON
HUMAN RIGHTS

1. GOP AND MARCOS HAVE NOT YET MET OUR CONCERNS FULLY IN HUMAN RIGHTS FIELD, MARCOS HAS MADE SOME IMPORTANT MOVES ON HUMAN RIGHTS FRONT IN RECENT WEEKS: HE HAS ORDERED RELEASE OF OVER 3,200 PERSONS IN MILITARY CUSTODY, INCLUDING ALL 606 DETAINED FOR PROTESTING CONDUCT OF APRIL 7 ELECTIONS, HAS ANNOUNCED LIBERALIZATION OF AMNESTY LAW, HAS TAKEN ACTIONS TO ACCELERATE MILITARY TRIALS (EXPLAINING TO ME HE IS DETERMINED TO DO AWAY WITH MILITARY DETENTION CENTERS AND MILITARY TRIALS FOR CIVILIAN SUBVERSIVES AND OTHER CIVILIANS ACCUSED OF MAJOR CRIMES), AND HAS STATED THAT GOP IS OR WILL SOON BE HOLDING ONLY "HARD-CORE" OF LESS THAN 300 SUBVERSIVES AND/OR HARDENED CRIMINALS -- LESS THAN HALF THE OFFICIAL FIGURE OF SIX MONTHS AGO. WHILE FULL IMPLICATIONS OF THESE MOVES REMAIN UNCLEAR, MARCOS' MOVES ARE CLEARLY IN THE RIGHT DIRECTION, AND CONSONANT WITH HIS ANNOUNCED DETERMINATION TO NORMALIZE POLITICAL LIFE IN THE PHILIPPINES.

2. I CONSIDER IT IMPORTANT THAT U.S. SOON SIGNAL ITS RECOGNITION OF THESE MOVES, A SIGNAL WHICH ITSELF COULD
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 MANILA 11231 01 OF 02 051042Z

ENCOURAGE FURTHER PROGRESS. I URGE THAT THESE CONSIDERATIONS BE AIDED DURING JULY 7 MEETING OF CHRISTOPHER GROUP. END SUMMARY.

3. THE IMPRESSIVE OUTBURST OF POPULAR ENTHUSIASM FOR THE OPPOSITION LABAN CANDIDATES DURING THE INTERIM ASSEMBLY CAMPAIGN, MOST NOTABLY IN THE SPONTANEOUS "NOISE BARRAGE"

IN MANILA THE NIGHT OF APRIL 5, SHOOK MARCOS AND THE MILITARY BADLY. THEIR IMMEDIATE REACTION WAS TO ARREST SOME 600 LEADERS AND PARTICIPANTS IN THE OPPOSITION'S PROTEST MARCH OF APRIL 9 AND TO REIMPOSE ABRUPTLY CERTAIN MARTIAL LAW RESTRICTIONS. BUT RATHER THAN CONTINUE THIS
CONFIDENTIAL

CLAMPDOWN, AFTER A FEW WEEKS MARCOS TOOK A NUMBER OF STEPS TO LIBERALIZE THE SITUATION AND MOVE TOWARD "RECONCILIATION AND NATIONAL UNITY" TO COINCIDE WITH THE OPENING OF THE NEW PARLIAMENT. WE CAN ONLY SPECULATE ON MARCOS' REASONS. AMONG THEM ARE PROBABLY THE CONCLUSIONS HE DREW FROM THE MONDALE VISIT AND OTHER RECENT EXPRESSIONS OF USG CONCERN ABOUT THE CORROSIVE EFFECT GOP HUMAN RIGHTS PRACTICES HAVE BEEN HAVING ON OUR BILATERAL RELATIONS.

4. IN ADDITION TO HIS OWN LITTLE-PUBLICIZED CONTACTS WITH OPPOSITION LEADERS, MARCOS ANNOUNCED A SERIES OF MAJOR RELEASES OF DETAINEES AND HAS JUST HAD THE LEADING LOCAL NEWSPAPERS PUBLISH FULL LISTS OF THE AFFECTED INDIVIDUALS, A GESTURE IN PART CLEARLY AIMED AT REACHING THE U.S. AUDIENCE. WE HAVE REPORTED THESE DEVELOPMENTS IN AS MUCH DETAIL AS AVAILABLE. BRIEFLY THEY INCLUDE THE FOLLOWING:

(A) THE AMNESTY OF 631 PERSONS JUNE 10 UNDER OLD AMNESTY DECREES WHICH MARCOS REACTIVATED IN AUGUST 1977;
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 MANILA 11231 01 OF 02 051042Z

(B) THE FULL OR "TEMPORARY" RELEASE SINCE APRIL 7 OF 2,636 PERSONS IN MILITARY CUSTODY;

(C) THE EXTENSION OF EXECUTIVE CLEMENCY TO 522 PERSONS HELD IN CIVILIAN JAILS, AND

(D) THE RECOMMENDATION OF AMNESTY FOR AT LEAST 306 PERSONS (AS OF JUNE 24) UNDER A NEW AMNESTY DECREE SIGNED JUNE 11. (COMMENT: THE TERMS OF THIS DECREE WERE DELIBERATELY BROADENED OVER PREVIOUS ONES TO INCLUDE THE POSSIBILITY OF AMNESTY FOR FORMER SENATOR AQUINO AND OTHERS WHO WERE PREVIOUSLY INELIGIBLE.)

5. MARCOS ANNOUNCED PUBLICLY ON JUNE 27 THAT THERE ARE NOW LESS THAN 300 PERSONS DETAINED ON SUBVERSION AND OTHER SECURITY CHARGES, A DECREASE OF OVER ONE-THIRD FROM THE APRIL 24 GOP FIGURE OF 474 AND OF OVER ONE-HALF FROM THE DECEMBER 31, 1977, GOP FIGURE OF 620.

6. MOREOVER, THE TEN NEW MILITARY TRIBUNALS ESTABLISHED LAST FEBRUARY TO CLEAR OUT THE MILITARY TRIAL BACKLOG ARE

NOW FULLY STAFFED. MARCOS ANNOUNCED JUNE 12 THAT THEY WILL BE GIVEN NO NEW CASES -- FUTURE SECURITY CASES WILL GO TO CIVILIAN COURTS -- AND WILL DISBAND AS THEY FINISH THEIR PRESENT CASELOAD. PRESIDENT EXPLAINED TO ME JUNE 29 THAT THE RELEASES MENTIONED ABOVE ARE A FURTHER EFFORT --

AND OVER MILITARY OBJECTIONS -- TO EMPTY THE MILITARY DETENTION SYSTEM AND GET AWAY FROM THE USE OF MILITARY TRIBUNALS TO TRY SUBVERSIVES AND OTHER CIVILIANS.

CONFIDENTIAL

NNN

CONFIDENTIAL

PAGE 01 MANILA 11231 02 OF 02 051046Z
ACTION EA-12

INFO OCT-01 ISO-00 HA-05 CIAE-00 DODE-00 NSAE-00
NSCE-00 SSO-00 ICAE-00 INRE-00 PM-05 H-01 INR-10
L-03 PA-01 SP-02 SS-15 IO-13 AID-05 /073 W
-----019741 051055Z /12

R 051019Z JUL 78

FM AMEMBASSY MANILA

TO SECSTATE WASHDC IMMEDIATE 8013

C O N F I D E N T I A L SECTION 02 OF 02 MANILA 11231

7. WE ARE SEEKING TO VERIFY PRACTICAL RESULTS OF THESE AMNESTIES AND RELEASES SO WE CAN MAKE MORE MEANINGFUL ANALYSIS OF THEIR SIGNIFICANCE. THIS IS ONE REASON WE RAISED WITH MARCOS DESIRABILITY OF HIS DESIGNATING A "WORKING LEVEL" CONTACT FOR EMBASSY WITHIN GOP (MANILA 11113). IN THE MEANTIME, WE WILL HAVE TO RELY PRIMARILY ON THE CHURCH'S TASK FORCE ON DETAINEES, WITH ITS CWFD FILES AND NETWORK OF CONTACTS INSIDE THE DETENTION CENTERS GIVEN THE TASK FORCE'S PHYSICAL LIMITATIONS, IT WILL BE SOME TIME BEFORE WE HAVE A RELIABLE TABULATION AND ANALYSIS FROM THAT SOURCE.

8. FOR THE MOMENT WE CAN AT LEAST CONFIRM THE RELEASE OF TWO SETS OF DETAINEES WE HAVE BEEN PARTICULARLY INTERESTED IN: THE SIX REMAINING LABAN PROTEST MARCH LEADERS AND THE EIGHT ACCUSED ACCOMPLICES IN THE LOPEZ/OSMENA CASE (NEPOMUCENO ET AL). MOREOVER, MARCOS IS CERTAINLY AWARE THAT, PARTICULARLY WITH THE PUBLICATION OF THE FULL LISTS OF NAMES, HIS PERFORMANCE CAN NOW BE CHECKED IN DETAIL AND HIS CREDIBILITY WILL DEPEND ON HIS FOLLOW-THROUGH ON THE ANNOUNCEMENTS. WHILE THERE WILL UNDOUBTEDLY BE ANOMALIES AND UNANSWERED QUESTIONS WHEN AN OVERALL ANALYSIS IS AVAILABLE

ABLE, THERE SEEMS AMPLE EVIDENCE THAT THE OVERALL DIRECTIO
OF HIS MOVES IS POSITIVE. WHATEVER MAY PROVE TO HAVE BEEN
HIS MOTIVATIONS, MY READING IS THAT MARCOS IS SINCERE IN
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 MANILA 11231 02 OF 02 051046Z

HIS EFFORTS TO "NORMALIZE" AND "CIVILIANIZE" THE HANDLING
OF NATIONAL SECURITY CASES.

9. THIS IS NOT TO SAY GOP AND MARCOS HAVE YET MET OUR
CONCERNS FULLY IN HUMAN RIGHTS FIELD. I CONSIDER IT IMPOR-
TANT, HOWEVER, THAT WE SIGNAL TO MARCOS NOW OUR RECOGNITIO
THAT RECENT STEPS HE HAS TAKEN ARE IN DIRECTION WHICH
ACCORDS WITH OUR URGINGS AND WHICH IS QUITE DIFFERENT
FROM THE WAY HE WAS MOVING IN THE PERIOD BEFORE AND IMMED-
IATELY AFTER THE APRIL ELECTIONS. SUCH RECOGNITION OF
SIGNIFICANT MOVEMENT IS ENVISAGED IN AMBASSADORIAL GOALS
AND OBJECTIVES HERE (MANILA 746). IT COULD WELL SERVE TO
ENCOURAGE FURTHER PROGRESS IN SAME DIRECTION. I URGE
THEREFORE THAT DEPARTMENT, WHEN (E.G. AT MEETING OF
CHRISTOPHER COMMITTEE ON JULY 7) REVIEWING AREAS WHERE US
POSTURE HAS BEEN DESIGNED IN PART TO REFLECT DISAPPOINTMENT
WITH GOP HUMAN RIGHTS RECORD IN PAST: (A) KEEP IN MIND
CONFIDENTIAL

GENUINE IMPROVEMENT REPRESENTED BY RECENT MARCOS MOVES;
AND (B) EXAMINE HOW WE CAN BEST SIGNAL TO MARCOS (THROUGH
MOVES BEYOND THOSE ALREADY UNDERWAY) OUR AWARENESS OF
THIS IMPROVEMENT. MURPHY

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: HUMAN RIGHTS, PROGRESS REPORTS
Control Number: n/a
Copy: SINGLE
Draft Date: 05 jul 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978MANILA11231
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780275-0885
Format: TEL
From: MANILA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780795/aaaadcdk.tel
Line Count: 202
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 750cfc7a-c288-dd11-92da-001cc4696bcc
Office: ACTION EA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 04 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2116155
Secure: OPEN
Status: NATIVE
Subject: A PROPOSED U.S. RESPONSE TO RECENT PROGRESS ON HUMAN RIGHTS
TAGS: SHUM, PINT, EAID, RP, US
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/750cfc7a-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014